

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

TAMMY DURKIN,

Plaintiff,

v.

Case No. 8:23-cv-1594-WFJ-JSS

HUD PINELLAS COUNTY,

Defendant.

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ORDER

This cause comes before the Court on Plaintiff's application to proceed *in forma pauperis* (Dkt. 2) and the complaint (Dkt. 1). The magistrate judge issued a report recommending that the motion be denied without prejudice and that the complaint be dismissed with leave to file an amended complaint. Dkt. 6. The time for filing objections has passed.

The Court reviews the legal conclusions *de novo* in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010) (citation omitted); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994). The magistrate judge, in a thorough analysis, found that the complaint (Dkt. 1) does not satisfy basic pleading requirements in both form and factual allegations. For the reasons explained in the Report and Recommendation, and in conjunction with an independent examination of the file, the Court concludes that the Report and

Recommendation (Dkt. 6) should be adopted as part of this order, confirmed, and approved in all respects. Accordingly, the Court rules as follows:

1. The Report and Recommendation (Dkt. 6) is adopted, confirmed, and approved in all respects and made a part of this order.
2. Plaintiff's motion to proceed *in forma pauperis* (Dkt. 2) is denied without prejudice.
3. Plaintiff's complaint (Dkt. 1) is dismissed without prejudice. Plaintiff shall file an amended complaint, if so desired, in accordance with the Report and Recommendation within twenty (20) days. The amended complaint must comply with the Federal Rules of Civil Procedure, must set forth allegations in numbered paragraphs limited as far as practicable to a single set of circumstances, and must state in a separate count each claim founded on a separate transaction or occurrence. If an amended complaint is not timely filed, this matter will be closed without further notice.
4. The motion to cease and desist (Dkt. 7) is unrelated to this lawsuit and is therefore denied.

DONE AND ORDERED at Tampa, Florida, on September 11, 2023.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

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Plaintiff

